

State Interagency Council

Standard Operating Procedures

Draft Version

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I. Welcome

Welcome to the State Interagency Council for Services to Children with Emotional Disabilities (SIAC). The State Interagency Council is a group of [state agency representatives](#), and the parent of a child with an emotional disability, who oversee coordinated policy development, comprehensive planning, and collaborative budgeting for services to children with emotional disabilities. SIAC conducts [monthly meetings](#) that are open to the public.

Established through legislation written by Representative Tom Burch, Louisville, in 1990, SIAC oversees the hallmark program known as [Kentucky IMPACT](#). The Primary goal of the IMPACT program is to coordinate local and state resources to serve children with severe emotional disabilities so they can stay in their homes, schools, and communities.

Kentucky IMPACT is administered on the local level by [18 Regional Interagency Councils](#) who oversee Service Coordinators that work directly with families. The service coordinator and parent develop a service team made up of the people who are most interested in the child's well being. The first member of every service team is always the parent or guardian and together they decide who should be included in developing a plan to serve the child. Service team members frequently include teachers, guidance counselors or school social workers, therapist, close family members, and sometimes staff from the Department for Community Based Services or Court Designated Workers if the child or family are involved with those agencies.

To learn more about the State Interagency Council, please visit our web address:
<http://dmhmrs.chr.state.ky.us/mh/siac/>

II. State Interagency Council Legislation

The State Interagency Council was founded by the General Assembly through the development of the Kentucky Revised Statute 200.501 to 200.509.

KRS 200.501

The Kentucky General Assembly finds that services to children are provided by various departments and agencies at both the state and local level, often without appropriate policy collaboration and service coordination. The General Assembly declares that the purpose of KRS 200.501 to 200.509 is to establish a structure for coordinated policy development, comprehensive planning, and collaborative budgeting for services to children with an emotional disability or severe emotional disability and their families. It is further the intention of the General Assembly to build on the existing resources and to design and implement a coordinated service system for children with an emotional disability or severe emotional disability that is community based and centered on the needs of the individual child and family. Children with a severe emotional disability who are receiving institutional care or are at risk of institutional placement shall be given priority for services pursuant to KRS 200.501 to 200.509.

Effective: July 14, 1992

History: Amended 1992 Ky. Acts ch. 24, sec. 1, effective July 14, 1992. -- Created 1990 Ky. Acts ch. 266, sec. 1, effective July 13, 1990.

KRS 200.503

200.503 Definitions for KRS 200.501 to 200.509.

As used in KRS 200.501 to 200.509, unless the context otherwise requires:

- (1) "Child with an emotional disability" means a child with a clinically significant

disorder of thought, mood, perception, orientation, memory, or behavior that is listed in the current edition of the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders and seriously limits a child's capacity to function in the home, school, or community.

(2) "Child with a severe emotional disability" means a child with a clinically significant disorder of thought, mood, perception, orientation, memory, or behavior that is listed in the current edition of the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders and that:

(a) Presents substantial limitations that have persisted for at least one (1) year or are judged by a mental health professional to be at high risk of continuing for one (1) year without professional intervention in at least two (2) of the following five (5) areas: "Self-care," defined as the ability to provide, sustain, and protect his or herself at a level appropriate to his or her age; "Interpersonal relationships," defined as the ability to build and maintain satisfactory relationships with peers and adults; "Family life," defined as the capacity to live in a family or family type environment; "Self-direction," defined as the child's ability to control his or her behavior and to make decisions in a manner appropriate to his or her age; and "Education," defined as the ability to learn social and intellectual skills from teachers in available educational settings; or

(b) Is a Kentucky resident and is receiving residential treatment for emotional disability through the interstate compact; or

(c) The Department for Community Based Services has removed the child from the child's home and has been unable to maintain the child in a stable setting due to behavioral or emotional disturbance; or

(d) Is a person under twenty-one (21) years of age meeting the criteria of paragraph (a) of this subsection and who was receiving services prior to age eighteen (18) that must be continued for therapeutic benefit.

(3) "State Family Advisory Council" means the council composed of all parent members or alternate parent members of the state, regional, and local interagency councils for services to children with an emotional disability pursuant to KRS 200.505 and 200.509 and all parent members of regional policy councils.

(4) "Least restrictive alternative mode of treatment" means treatment given in the least confining setting which will provide a child with an emotional disability or severe emotional disability appropriate treatment or care consistent with accepted professional practice. For purposes of this section, least restrictive alternative mode of treatment may include an institutional placement.

Effective: July 14, 2000

History: Amended 2000 Ky. Acts ch. 14, sec. 26, effective July 14, 2000. -- Amended 1996 Ky. Acts ch. 303, sec. 1, effective July 15, 1996. -- Amended 1992 Ky. Acts

KRS 200.505

200.503 Definitions for KRS 200.501 to 200.509.

As used in KRS 200.501 to 200.509, unless the context otherwise requires:

(1) "Child with an emotional disability" means a child with a clinically significant disorder of thought, mood, perception, orientation, memory, or behavior that is listed in the current edition of the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders and seriously limits a child's capacity to function in the home, school, or community.

(2) "Child with a severe emotional disability" means a child with a clinically significant disorder of thought, mood, perception, orientation, memory, or behavior that is listed in the current edition of the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders and that:

(a) Presents substantial limitations that have persisted for at least one (1) year or are judged by a mental health professional to be at high risk of continuing for one (1) year without professional intervention in at least two (2) of the following five (5) areas: "Self-care," defined as the ability to provide, sustain,

and protect his or herself at a level appropriate to his or her age; "Interpersonal relationships," defined as the ability to build and maintain satisfactory relationships with peers and adults; "Family life," defined as the capacity to live in a family or family type environment; "Self-direction," defined as the child's ability to control his or her behavior and to make decisions in a manner appropriate to his or her age; and "Education," defined as the ability to learn social and intellectual skills from teachers in available educational settings; or

(b) Is a Kentucky resident and is receiving residential treatment for emotional disability through the interstate compact; or

(c) The Department for Community Based Services has removed the child from the child's home and has been unable to maintain the child in a stable setting due to behavioral or emotional disturbance; or

(d) Is a person under twenty-one (21) years of age meeting the criteria of paragraph (a) of this subsection and who was receiving services prior to age eighteen (18) that must be continued for therapeutic benefit.

(3) "State Family Advisory Council" means the council composed of all parent members or alternate parent members of the state, regional, and local interagency councils for services to children with an emotional disability pursuant to KRS 200.505 and 200.509 and all parent members of regional policy councils.

(4) "Least restrictive alternative mode of treatment" means treatment given in the least confining setting which will provide a child with an emotional disability or severe emotional disability appropriate treatment or care consistent with accepted professional practice. For purposes of this section, least restrictive alternative mode of treatment may include an institutional placement.

Effective: July 14, 2000

History: Amended 2000 Ky. Acts ch. 14, sec. 26, effective July 14, 2000. -- Amended 1996 Ky. Acts ch. 303, sec. 1, effective July 15, 1996. -- Amended 1992 Ky. Acts

KRS 200.508

200.508 Rights of children with an emotional disability and their parents, custodians, or guardians.

A child with an emotional disability and the parent, person exercising custodial control or supervision, or guardian of that child shall have the right to:

(1) Be adequately informed as to priorities, philosophy, and policies of the regional interagency council;

(2) Be informed in advance of scheduled regional or local interagency council and interagency service planning meetings relevant to services to the child;

(3) Participate in the development of the interagency service plan and revisions thereto;

(4) Be adequately informed as to the interagency service plan and any revisions thereto and receive a written copy of the plan;

(5) Refuse the interagency service plan;

(6) Access and utilize established grievance procedures without discontinuation or delay of needed services while the grievance is pending;

(7) Access all child-specific pertinent records and information accumulated by the regional interagency council, provided that the release of the information is not prohibited by existing state and federal laws or regulations governing confidentiality;

(8) Consult with existing advocacy groups for consultation and representation; and

(9) Receive an orderly transition to other available services if eligibility for regional interagency council services is ending.

Effective: July 14, 1992

History: Created 1992 Ky. Acts ch. 24, sec. 6, effective July 14, 1992.

200.509 Regional interagency councils for services to children with an emotional disability in each area development district.

(1) There are hereby created regional interagency councils for services to children with an emotional disability. These councils shall be formed in each area development district within the Commonwealth of Kentucky, except that those area development districts that contain a county with a population greater than one hundred thousand (100,000) may form up to three (3) such councils. The regional interagency councils for services to children with an emotional disability shall be chaired by the service region administrator of the Department for Community Based Services or a program specialist with expertise in this service area as the district supervisor's designee. Each council shall be composed of the following members:

(a) The children's services coordinator from each regional community mental health center or their designee in the case of a multicouncil district;

(b) One (1) court, designated worker chosen by the Chief Regional District Judge within the region;

(c) One (1) specialist in special education chosen by the school district superintendents in the area served by the regional council;

(d) One (1) parent of a child with an emotional disability, who is a consumer of state-funded services for children with an emotional disability, and one (1) parent who meets the same criteria to serve as the parent member's alternate, who may attend and participate in all council meetings, but shall vote only in the absence of the parent member. For each appointment to be made, the regional interagency council for which the appointment is to be made shall submit to the Governor a list of two (2) names of parents who are qualified for appointment from which list the Governor shall make the appointment. Appointees shall serve a term of four (4) years. If the child of the parent member or alternate parent member ceases to be a consumer of state-funded services for children with an emotional disability during the term of appointment, the member shall be eligible to serve out the remainder of the term of appointment;

(e) Any other local public or private agency that provides services to children with an emotional disability which the regional interagency council may invite to have a representative become a permanent or temporary member of the council; and

(f) Representatives from the Department of Juvenile Justice and local health departments.

(2) No member of a regional interagency council for services to children with an emotional disability shall be given compensation in addition to that which they already receive as service providers or state employees, except that the parent members and alternate parent members of regional interagency councils shall be reimbursed for all expenses incurred through the performance of their duties as council members..

(3) Each regional interagency council for services to children with an emotional disability shall perform the following functions:

(a) Review case histories of children referred to it by its members or any other entity within its geographical area to coordinate service provision;

(b) Coordinate the development of interagency service plans for children with an emotional disability in the least restrictive alternative mode of treatment;

(c) Identify the time frames necessary and the parties responsible for the timely development of the interagency service plans for children with an emotional disability;

(d) Verify that services identified in interagency service plans are developed, accessed, and delivered in a coordinated and timely manner;

(e) Initiate and adopt interagency agreements as necessary for providing services

to children with an emotional disability by the agencies represented in the regional council;

(f) Advise the state interagency council regarding service delivery to children with an emotional disability within the region;

(g) Refer those children for whom the regional councils cannot provide adequate services to the state interagency council;

(h) Implement the uniform grievance procedure established by the state interagency council;

(i) Make periodic reports to the state interagency council regarding the number of children referred to the regional council and the progress made in meeting the needs of each child;

(j) Recognize local interagency councils for services to children with an emotional disability when it determines the council would be beneficial to service delivery; and

(k) Promote services to prevent the emotional disability of a child.

(4) The secretary for families and children and the designee of the State Department of Education shall ensure that regional councils for services to children with an emotional disability are formed by October 1, 1990.

(5) Local interagency councils for services to children with an emotional disability may be formed as necessary to enhance service provision, better coordinate services, or initiate special projects and fundraising activities for children with an emotional disability within a city, county, or other local community.

Effective: July 14, 2000

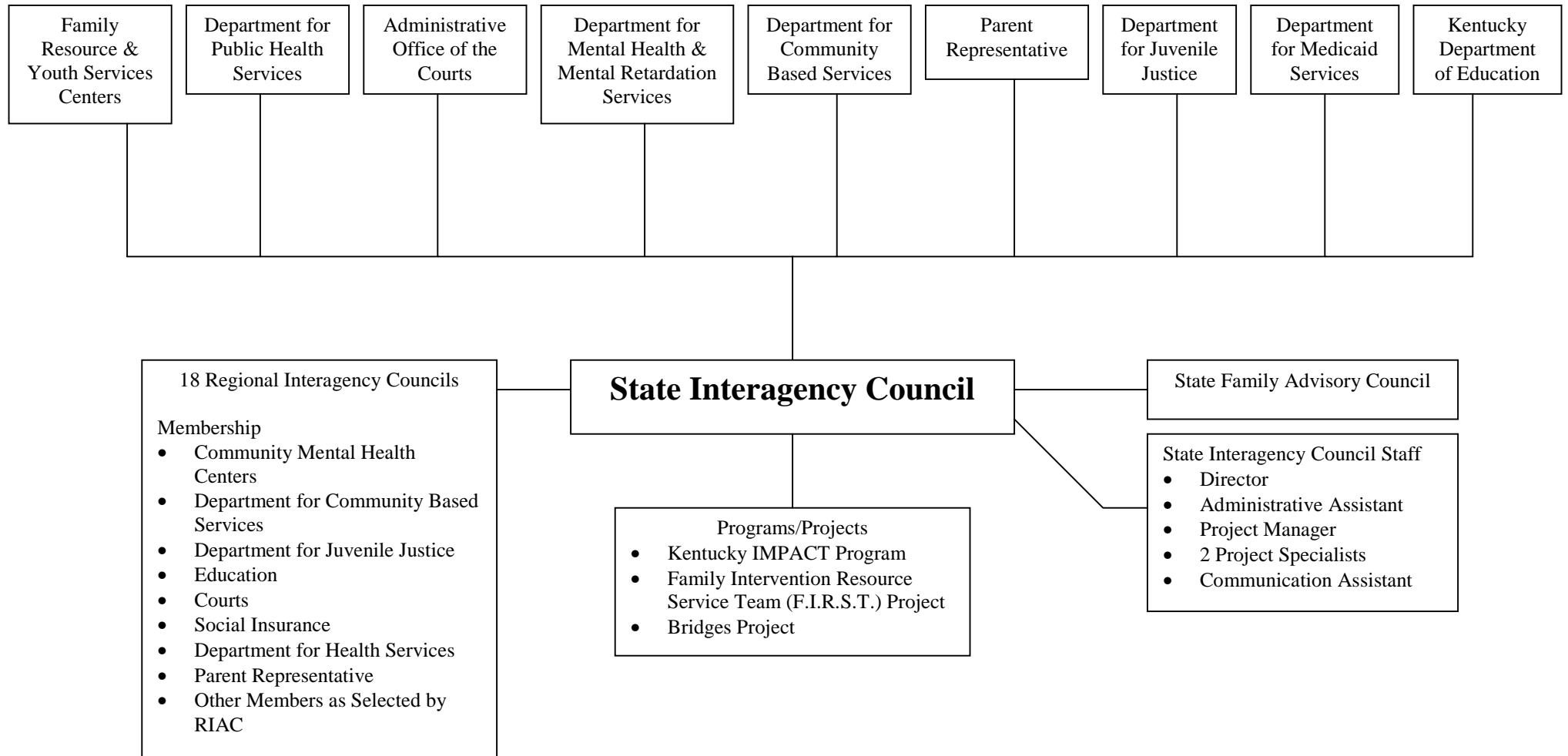
History: Amended 2000 Ky. Acts ch. 14, sec. 28, effective July 14, 2000. -- Amended 1998 Ky. Acts ch. 426, sec. 168, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 303, sec. 3, effective July 15, 1996. -- Amended 1992 Ky. Acts ch. 24, sec. 5, effective July 14, 1992. -- Created 1990 Ky. Acts ch. 266, sec. 5, effective July 13, 1990.

III. SIAC Membership

The membership of the Council consists of the following members or other designee

Commissioner of the State Department of Education;
Commissioner of the Department for Mental Health and Mental Retardation Services;
Commissioner of the Department for Social Services;
Commissioner of the Department for Health Services;
Commissioner of the Department for Juvenile Justice;
Commissioner of the Department for Medicaid Services;
Assistant Director of the Administrative Office of the Courts;
Executive Director of the Family Resource and Youth Service Centers; and
Parent of a child with an emotional disability, who is a consumer of state funded services for children with an emotional disability.

IV. SIAC Organizational Flow Chart



v. SIAC Voting Quorum

The senior representative of each agency and parent representative present shall have the authority to vote. Each voting member shall have the right to one vote on each matter submitted by the Council. A simple majority of members will determine the actions of the Council.

Quorum at Council meetings will be five of the nine voting members.

vi. SIAC Terms of Appointment

A. Agency Representatives

The term of office of agency members of the Council shall be for the duration of time they hold their jobs that designate them as members.

B. Parent Representative

The term of office of the parent member of the Council shall be a four-year term. The State Family Advisory Council submits two (2) names to the Governor's office for final appointment.

vii. SIAC Officers

SIAC Chair person rotates every two (2)-years. Rotation is done by sequential order as outlined below:

Partnership	Year
Department for Community Based Services	2001
Family Resource and Youth Services	2003
Department for Juvenile Justice	2005
Department for Medicaid Services	2007
Parent Representative	2009
Department for Public Health	2011
Department for Mental Health and Mental Retardation Services	2013
Administrative Office of the Courts	2015
Department of Education	2017

The Chair shall:

- Establish procedures for the Council's internal procedures. (KRS 200.505)
- Preside at all meetings of the Council.
- Develop the agenda for such meetings in consultation with the SIAC Director.
- Appoint the chairs of all committees and be the one to whom chairs are responsible.
- Have such other authority and duties as may be designated by the Council.

viii. SIAC Adopted Outcomes and Values

System Outcomes

1. The number of children served will be a greater percentage of the targeted population defined in KRS 200.501
2. There will be an overall reduction in the use of hospital/residential treatment in the system.

3. The system will evidence improved agency collaboration.
4. Communities/agencies will become more educated with respect to disabilities and other agencies and resources.

Family Outcomes

5. The family will become a functionally interdependent family that is less dependent on child serving agencies and more empowered in arranging for necessary services and supports.

Child Outcomes

6. Children will be safe from self and others.
7. Children will demonstrate improved emotional and behavioral functioning and improved confidence and skills.
8. Children will improve their school attendance and performance.

VALUES

- Children's needs are best addressed within their community setting.
- Parents are equal partners in decision making at every level.
- Supporting and sustaining families is fundamental to the healthy development of children.
- Greater progress and growth is achieved when strengths are acknowledged and interventions are designed to build on an individual's identified strengths.
- A cross-disciplinary team approach enriches creativity, problem-solving, and intervention.
- Collaboration among agencies creates enhanced resources, improved quality, and greater accountability in the community.
- Regional autonomy and flexibility assures that services are designed to meet individual child needs within the unique distinctions of the community.

IX. SIAC Committees / Work Groups

The Chair of the Council shall have the authority to appoint committees/ work groups for a special purpose. These committees/work groups will not be standing committees/work groups but dissolve upon completion of their mission. Members of these committees/work groups shall be any persons deemed necessary to fulfill the Council's purpose.

X. SIAC Meetings

- A. The Council shall meet at least monthly. (KRS 200.505)
- B. The regular meeting of the Council will be the fourth Wednesday of each month from 10:00 a.m. to 12:00 p.m. Any member may request a change in the meeting date or time, to be determined by the Council.
- C. Meetings are subject to the Open Records Law, and thus will be published. Meetings are open to the public, with the exception of personnel issues and executive meeting during which grievances are heard. This section of the meeting will be restricted to voting members; and staff, at the discretion of the chair.

Notice of the meetings will be sent to Council Members and others on the mailing list, two weeks prior to the meeting.

XI. SIAC Staff

Staff to the Council consists of the following:

- A. Director
- B. Administrative Assistant
- B. Project Manager
- C. Two (2) Project Specialists
- E. Communications Assistant

XII. Parliamentary Authority

Robert's Rules of Order, Revised, shall constitute the ruling authority in all cases in which they are not inconsistent with these procedures or with any statute of the State of Kentucky.

XIII. SIAC Forms

A. Action Item for Consideration

The Action Item for Consideration form can be located in the section identified as Attachments. Adopted by the Council in the spring of 2001, this form serves as the manner by which topics are introduced to the Council for consideration.

This form has five key areas of requested information that include Date, Submitted by, Summary of Issues, Preliminary Motion, and Final Motion.

Date – Date of the SIAC meeting that you are requesting to present or have information presented on your behalf.

Submitted by – The name of individual, organization, or group making the request for consideration.

Summary of Issues – A summary / brief history of the issues/reasons for which this item is now being presented to the Council for consideration. Please remember that this section provides Council with enough information to assist them in understanding what has been done thus far and why this item is being brought to their attention.

Preliminary Motion – What are you seeking and/or requesting from the Council with regard to this item.

Action Items for consideration should be submitted to the State interagency Council Office and addressed as follows:

DMHMRS/ SIAC
Attention: Staff/AIC
100 Fair Oaks Lane, 4W-C
Frankfort, KY 40621

B. Standardized Release of Information, Statement of Confidentiality, Consent to Contact

These forms outline expectations and obligations of confidential information as applied within the Kentucky IMPACT Program. The practice for this form is governed by the Regional Interagency Councils and may be found within their Policy and Procedure manuals.

C. Grievance Procedures

What if I disagree with a decision about the delivery, denial, delay or reduction of Kentucky IMPACT services?

As an equal member of the service team, make sure you let other members know what you think about the services being planned and delivered to your child and family. This is always the first step in preventing and resolving problems before they become formal grievances. However, if you remain concerned about the delivery, denial, delay or reduction of Kentucky IMPACT services, you have the right to file a grievance.

Who can file a grievance?

If you are a parent, guardian, have custodial control of a child, or you are a youth 16 years old or older and nominated for IMPACT you may file a grievance if:

- Child is denied admission to IMPACT services
- Child is placed on waiting list for services
- Services are denied or reduced
- You disagree with the interagency service plan

How do I file a grievance?

If the child is nominated for Kentucky IMPACT, you may file a grievance through the Local Interagency Council or Regional Interagency Council.

How do I file a grievance with the Local Interagency Council / Regional Interagency Council?

You may request a grievance form from your local IMPACT office, Local Resource Coordinator, or through the State Inter Agency Council by contacting:

State Interagency Council
100 Fair Oaks Lane 4W-C
Frankfort KY 40621-0001
(502)564-7610

You are not required to use the standard form. You may use the following outline if you choose. Please include:

1. Type of grievance (interagency service plan OR RIAC denial or reduction of services)
2. Brief description of the situation that led to the grievance, including dates and people involved if possible
3. Signature of the person filing the grievance
4. Relationship to the child
5. Date of the grievance.

Mail or deliver your completed grievance to your RIAC chairperson. Within two weeks of receiving your grievance, the RIAC chairperson will appoint someone to investigate your grievance. The investigator will contact you and also speak with others who may be involved and review any

available documentation as well. Within the next two weeks, the investigation will be completed and you will be notified of the investigator's recommendation.

Within one month following the investigation, you will be invited to attend a RIAC meeting to discuss your grievance further. You may bring anyone you wish or have someone represent you at the meeting. The investigator will be there and other people they believe could provide helpful information to the RIAC in making a decision. The discussion at this meeting will be tape recorded. After the discussion, the RIAC will go into closed session to discuss its decision. Within two weeks, the RIAC will give you the decision in writing.

If you are still not satisfied, you may choose to appeal the RIAC's decision to the State Interagency Council. You can do this by sending your grievance to the address at 100 Fair Oaks Lane 4W-C, Frankfort, KY 40621-0001 or call (502) 564-7610.

What happens to my child's current services once I have filed a grievance?

If your grievance is about a reduction in services that are already in place through a child's service plan approved by the RIAC, the services will continue while the grievance is pending.

How do I request an administrative hearing if my child is receiving a Medicaid funded service:

Only the actual recipient, applicant, guardian or their legal power of attorney may make this request. You will receive a letter advising you of any adverse action. This letter will include a declaration of your hearing rights. It is important that you have your written request postmarked within thirty (30) days of the day you receive the letter.

You have the right to review the case record relating to the issue and submit additional information in support of your claim. At this hearing you as the Medicaid recipient, applicant or guardian, may be represented by an authorized representative such as legal counsel, a relative, a friend or other spokesperson or you may represent yourself. You may contact the Cabinet for Families and Children located in your county of residence regarding the availability of free representation by Legal Aid Services. You may also call the Ombudsman in Frankfort at this toll-free number of 1-877-807-4027.

Grievance Regulation

202 KAR 1:010. Uniform grievance procedure for children with an emotional disability.

RELATES TO: KRS 200.505

STATUTORY AUTHORITY: KRS 200.505

NECESSITY, FUNCTION, AND CONFORMITY: This administrative regulation defines the "uniform grievance procedure" to be used by the Regional Interagency Councils for Children with an Emotional Disability and the State Interagency Council for Services to Children with an Emotional Disability.

Section 1. Definitions.

(1) "Appeal" means a formal request to SIAC to review the disposition of a grievance by a RIAC.

(2) "Complainant" means any of the following persons who may initiate a grievance with the RIAC:

- (a) A nominated child age sixteen (16) or older;
- (b) A nominated child's parent; or
- (c) An adult who has been authorized in writing as a representative for the purposes of initiating a grievance by one (1) of the persons listed above or by a nominated child under the age of sixteen (16).

(3) "Grievance" means a formal request for reconsideration of a decision made by an interagency service planning team or a RIAC.

(4) "IFBSS" means Individualized Family Based Support Services.

(5) "Local resource coordinator" means chief staff person to the RIAC.

(6) "Nominated child" means a child who has been nominated for or who is receiving services under the auspices of a RIAC.

(7) "Parent" means the natural parent, adoptive parent, legal guardian, or other person exercising custodial control or supervision, including relatives and foster parents, with whom the child was living when the event over which the grievance is filed occurred.

(8) "RIAC" means Regional Interagency Council for Services to Children with an Emotional Disability.

(9) "SIAC" means State Interagency Council for Services to Children with an Emotional Disability.

Section 2. Grievance Notification Procedure. (1) A grievance may be filed by a complainant with a RIAC grievance form in the following circumstances:

(a) A RIAC refers, defers, or denies a nomination;

(b) The parent or nominated child over age sixteen (16) expresses disagreement with the interagency service plan; or

(c) A RIAC denies or reduces an allocation of IFBSS to the nominated child and family.

(2) The local resource coordinator shall ensure that:

(a) Adverse decisions of the RIAC are reviewed with parents of the nominated child;

(b) Parents of the nominated child are notified of the grievance procedure if they disagree with the decision of the RIAC;

(c) Attempts are made to informally resolve the grievance if appropriate;

(d) Assistance is provided to a complainant who requests it with initiating the grievance procedure; and

(e) The notification process is documented.

(3) Services to the nominated child and family shall continue while the grievance is pending. If the grievance concerns a reduction of IFBSS, the allocation of IFBSS shall be restored pending resolution of the grievance.

Section 3. Types of Grievances. The following are the two (2) types of grievances which may be filed with the RIAC.

(1) Grievances relating to the interagency service plan over which the RIAC has complete control.

(a) These grievances may be initiated regarding any matter relating to the interagency service plan created for a nominated child. However, grievances regarding aspects of a service plan over which one (1) of the agencies represented on the RIAC has complete control shall be initiated with that agency using that agency's grievance procedure.

(b) The service coordinator shall assist the complainant in reviewing the appropriate agency's grievance procedure and include a referral to the appropriate representative.

(2) Grievances regarding a decision by a RIAC to deny or reduce services to a nominated child and family. Grievances may be initiated regarding the following decisions of a RIAC:

(a) To defer, refer, or deny a nominated child for service coordination; or

(b) To reduce or deny IFBSS-funded services recommended for a nominated child and family by an interagency service planning team.

Section 4. Forms for Grievances. (1) Grievances may be initiated by using the standard form ("RIAC Grievance") or another written notice that includes the following information:

(a) The type of grievance ("interagency service plan" or "RIAC denial of services");

(b) A brief summary of the situation that has led to the grievance, including dates and personnel involved if possible;

(c) The signature of the person initiating the grievance;

(d) The relationship to the nominated child of the person who is initiating the grievance; and

(e) The date the grievance is signed.

(2) The written grievance shall be delivered or sent by first class mail to the chair of the RIAC. The grievance shall be marked with the date of receipt.

(3) A copy of the standard grievance form is incorporated by reference and may be inspected and obtained through the Chair, State Interagency Council for Services to Children with Emotional Disabilities, Department for Mental Health and Mental Retardation Services, 275 E. Main St., Frankfort, Kentucky 40621, Monday through Friday, 8 a.m. to 4:30 p.m.

Section 5. Inquiries Into Grievances. (1) Within two (2) weeks of receipt of a grievance, the chair of the RIAC shall appoint an individual to make an inquiry into the grievance. The person appointed for the inquiry may be a member of an agency which currently serves the child and family, but shall not have been involved in the formulation of the plan or the decision which the grievance concerns, or was involved with the direct supervision or delivery of services to the family.

(2) The inquiry shall include:

(a) A telephone or personal interview with the complainant;

(b) Telephone or personal interviews with the persons involved in decisions about the grievance and others with knowledge of the circumstances of the decision; and

(c) A review of documents which are associated with the grievance.

(3) The inquiry process may include negotiation of a proposed settlement of the grievance.

(4) At the conclusion of the inquiry, the person who made the inquiry shall request the chair of the RIAC to place the grievance on the agenda of the next regularly scheduled RIAC meeting.

(5) The inquiry shall last no longer than two (2) weeks from the date of receipt of the grievance by the RIAC chair.

(6) The complainant shall be informed of the recommendation of the person who made the inquiry when the request is made to place the grievance on the agenda of the RIAC.

Section 6. Consideration of the Grievance by the RIAC.

(1) When the person appointed to conduct the inquiry advises the chair of the RIAC that the inquiry process has been completed, the chair of the RIAC shall schedule a presentation of the grievance and inquiry findings at the next regularly scheduled meeting of the RIAC, but no later than one (1) month following the conclusion of the inquiry.

(2) The following persons shall be invited to appear at the presentation:

(a) The person who conducted the inquiry;

(b) Those persons identified by the individual appointed to conduct the inquiry who may provide information that would be helpful in the reconsideration of the issue by the RIAC, or who may be affected by a reconsideration of the initial decision;

(c) The complainant and any authorized representative; and

(d) Persons whom the complainant wishes to be in attendance.

(3) At the meeting of the RIAC, a presentation shall be made by the persons attending regarding the grievance in the order listed above. The chair of the RIAC may set and enforce uniform time limits for presentations. If the complainant is absent from the presentation, the chair of the RIAC may postpone the presentation until no later than the next regularly scheduled meeting.

(4) At the conclusion of the presentation, the person who conducted the inquiry shall make recommendations to the RIAC regarding resolution of the grievance.

(5) If a settlement to the grievance is negotiated during the inquiry, only the person who conducted the inquiry and the complainant shall appear to report the settlement to the RIAC.

(6) All presentations to the RIAC regarding grievances, and discussion by the RIAC of the disposition, shall be audiotaped. Prior to the meeting, all parties to the grievance shall be advised that presentations and discussions will be audiotaped.

Section 7. Disposition of Grievances by the RIAC. (1) At the conclusion of the presentation, the RIAC shall vote to go into executive session to consider the grievance and then in open session make one (1) of the following decisions:

(a) The grievance is not one which the RIAC can resolve because it concerns a matter over which an agency represented on the RIAC has complete control. In this case, the chair may request the RIAC representative of that agency to assist in the resolution of the grievance;

(b) The original interagency service plan or RIAC decision stands;

(c) The previous decision to defer, refer, or deny the nomination of a child is set aside, and the child is accepted for service coordination;

(d) A new interagency service planning meeting shall be conducted, using new instructions or recommendations from the RIAC; or

(e) The previous denial or reduction of services by the RIAC is set aside, and new levels of service are established.

(2) The decision of the RIAC shall be summarized in a letter to the complainant, with copies to the authorized representative, if any, and the local resource coordinator. The letter shall be sent within two (2) weeks of the presentation of the grievance to the RIAC. The letter shall include information as to how the decision of the RIAC may be appealed to SIAC.

Section 8. Appeals to SIAC. The disposition of a grievance by a RIAC may be appealed to the SIAC.

(1) An appeal to the SIAC shall be made in writing to the State Coordinator of Kentucky IMPACT, c/o Department for Mental Health and Mental Retardation Services, 275 E. Main St., Frankfort, Kentucky 40621. A copy of the disposition letter from the RIAC chair shall be attached.

(2) The appeal to SIAC shall be initiated within two (2) weeks of the date of the letter from the RIAC chair about the disposition of the appeal.

(3) The appeal to SIAC shall only be initiated by the person who initiated the grievance with the RIAC or by the authorized representative.

(4) Upon receipt of a letter appealing the RIAC disposition of a grievance, the state coordinator shall consult with the chair of the SIAC regarding the method for addressing the SIAC appeal.

(5) In all appeals of grievances to the SIAC, the SIAC chair shall appoint a SIAC member, a designee of a SIAC member, or staff to the SIAC to review documentation of the RIAC's disposition of the grievance and recommend a resolution of the appeal to a future meeting of the SIAC.

(6) If no recommendation for a resolution based on documentation can be made, the chair of the SIAC shall determine a method for further investigation and recommendation regarding the appeal including the following:

(a) The SIAC chair may appoint a SIAC member, designee of a SIAC member, or staff to the SIAC to make a personal inquiry into the grievance and make a recommendation to SIAC regarding resolution of the appeal; or

(b) The SIAC may hear a presentation by the RIAC and the complainant in a format established by the SIAC chair.

(7) The investigation and recommendation regarding the appeal to SIAC shall be completed within thirty (30) days of the receipt of the appeal.

Section 9. Disposition of Appeals by SIAC. (1) The SIAC shall be informed of all appeals, the methods chosen to address them, and the resolutions recommended for them. The SIAC may choose to resolve appeals in one (1) of the following ways:

(a) Recommend further inquiry or reconsideration by the RIAC;

(b) Permit the disposition by the RIAC of the grievance to stand as made; or

(c) Advise the RIAC to change the disposition of the grievance. If the RIAC is advised to change its disposition, the SIAC shall make recommendations and offer on-site technical assistance to the RIAC.

(2) The SIAC chair shall inform the complainant of the SIAC's disposition of the appeal by letter. Copies shall be sent to the complainant's authorized representative, if any; to the RIAC chair; and to the local resource coordinator. (19 Ky.R. 1464; Am. 1743; eff. 1-27-93.)

D. Model Forms

The State Interagency Council has developed and adopted a model nomination packet, Strength and Needs Assessment, and Service plan for use within the Kentucky IMPACT program. These forms serve as resources to each Regional Interagency Council and may be modified to fit the need of each region. Copies of the model forms can be found in attachments.

xiv. SIAC Initiatives

A. KY IMPACT

Program History/Description

Kentucky IMPACT was enacted by the Kentucky legislature in 1990. The goal is to coordinate individualized multi-disciplinary services for children with severe emotional disabilities. By focusing on strengths of the child and family, children are served in their home or as close to home as possible and in the least restrictive environment. The philosophy is that by bringing the right people together around a common table the needs of most children with SED can be met within the community. By providing this continuum of services children are more likely to stay in their local school setting to complete their education and benefit from other local services. The program stipulates that state and federal funds be accessed to provide more appropriate community-based services for children with severe emotional disabilities. Emphasis is placed on interagency coordination, comprehensive service delivery, and limitations on the use of psychiatric hospitalization. The model grew out of the child and adolescent service system program which was administered through a grant from the Robert Wood Johnson Foundation's Mental Health Services Program for Youth, which awarded the Bluegrass region a 5 year \$2.4 million dollar grant to implement a coordinated and comprehensive system of care for children with severe emotional disabilities (SED) and their families.

Kentucky IMPACT is administered on the local level by Regional Interagency Councils. The Regional Interagency Council's structure and area of responsibility are defined in the Kentucky Revised Statute 200.509, found on page 6,7, and 8 of this manual.

Program Eligibility

A child is eligible for services if he or she is under 18 years of age, has a diagnosis of a psychiatric disorder, is severely limited in at least two key areas (self care, interpersonal relationships, family life, self-direction, and education), has had a disability for at least one (1) year or is judged to be at high-risk to continue in the disability for one year or more without intervention, and requires service coordination and service planning from two or more agencies at the same time. Children who are currently living outside their homes or who are at risk of an out of home placement receive priority consideration.

Basic Process for the KY IMPACT Program

1. A unique feature of the Kentucky IMPACT program is that anyone can nominate a child for services – parent, therapist, teacher, etc. However, if the individual is not the parent, the parent's signature and permission is required, since IMPACT is a voluntary program. A child is nominated using a nomination form. While nomination forms vary across the 18 regional programs, most seek basic information about the child and family, diagnoses, child's

problems and strengths, previous hospitalizations, or placements. Some forms are one or two pages, while others are six – eight pages.

This form is submitted to the local IMPACT office, where it is reviewed by staff, most frequently the Local Resource Coordinator (LRC) who is the manager for the IMPACT program in a particular region. If the nomination is complete (all sections filled out, and parent or guardian's signature), the LRC will prepare the nomination for presentation to the Regional Interagency Council (RIAC) or Local Interagency Council (LIAC). Authority is vested in this collaborative body to make decisions about services to children in the region.

2. RIACs or LIACs discuss nominations presented to them at their meeting. Several factors are taken into consideration in their decision. One is severity of diagnosis and how the child meets the priority population guidelines of the RIAC or LIAC. Another is the availability of a service coordinator (case manager). Some RIACs or LIACs require the parent to be present when information about their child is presented. When the RIAC or LIAC votes to accept the child, a service coordinator will be designated. Some RIACs or LIACs may allow the Local Resource Coordinators to screen the nominations, in which case not all completed nominations are presented and the child may be referred to other community agencies.
3. The service coordinator will contact the child's parent or guardian. The parent or guardian will be given information about their parent representative on the RIAC or LIAC. They will also advise the service coordinator who should be contacted to be on the child's team. The individuals on this team are those who are working directly with the child or who are concerned about him or her. The service coordinator will contact these individuals to set up the initial team meeting.
4. The child's first service team meeting will be conducted within the time period specified by the RIAC. See the attached sheet for the recommended format for these meetings. Discussion will center on strengths as well as needs. Team members will identify goals, and typically each member will be assigned at least one task. Some tasks are ongoing, e.g., respite or therapy, while others may be able to be completed, e.g., arrange appointment for psychosocial. Goals are to be set up with an eye towards successfully exiting the child from the IMPACT program. Many of the regional programs work with the parents or another team member to help transition into the service coordinator role if this is necessary once IMPACT is no longer involved. Team members will also recommend the child for services such as respite, special evaluations, classes or camps, or other components or items that will address the child's needs. The service plan and proposed Intensive Family Based Support Services (IFBSS) budget will be sent to the RIAC.
5. The RIAC will vote on the proposed service plan and IFBSS budget RIAC has the authority to reject or modify as well as to accept.
6. The child's service team will continue to meet. Teams frequently meet monthly, with some team meeting more often depending upon the child and family's need. During each meeting, the team will discuss how the child is doing. The service plan is revised to meet the child's changing needs.
7. When the child is perceived by the team members to have met a sufficient number of exit goals, the team will recommend exiting the child and identify services that need to be continued. Exit can also occur for other reasons: sometimes the family moves out of the region, or moves and leaves no forwarding address. The family may also decide that they no longer desire IMPACT services. The child may age out of the program. The team members will discuss what kinds of services will need to be continued in the community to support the child and family.

8. The RIAC will review the recommendation. As with the service plans and budgets, it is ultimately up to the RIAC to accept or reject the recommendation to exit. If the RIAC approves exit, they will recommend what services should be accessed within the community. Some RIACs do follow up to make sure that progress made while in the IMPACT program is sustained.

B. Training

Service Coordination 101

Service Coordination Training 101 is held 6 times a year to certify new IMPACT and IMPACT plus Service Coordinators. The training covers:

- Clarification of the meaning of service coordination,
- How to conduct a service team meeting,
- How to write a case plan with goals and objectives,
- Information on Medicaid regulations,
- Ideas on how to effectively work with parents,
- Orientation to the wrap-around model, and
- An overview of the SIAC/RIAC structure.

A faculty of representatives from IMPACT, IMPACT Plus, the Division of Mental Health, SIAC Staff, Medicaid, and Parents provide the Service Coordination training.

Therapeutic Child Support

Therapeutic Child Support Training of Trainers was developed and offered to supervisory and lead staff members in the private provider (IMPACT Plus) community. The training curriculum covers the model of the wrap-around approach, from the perspective of best practice, in relation to implementation dynamics of this service.

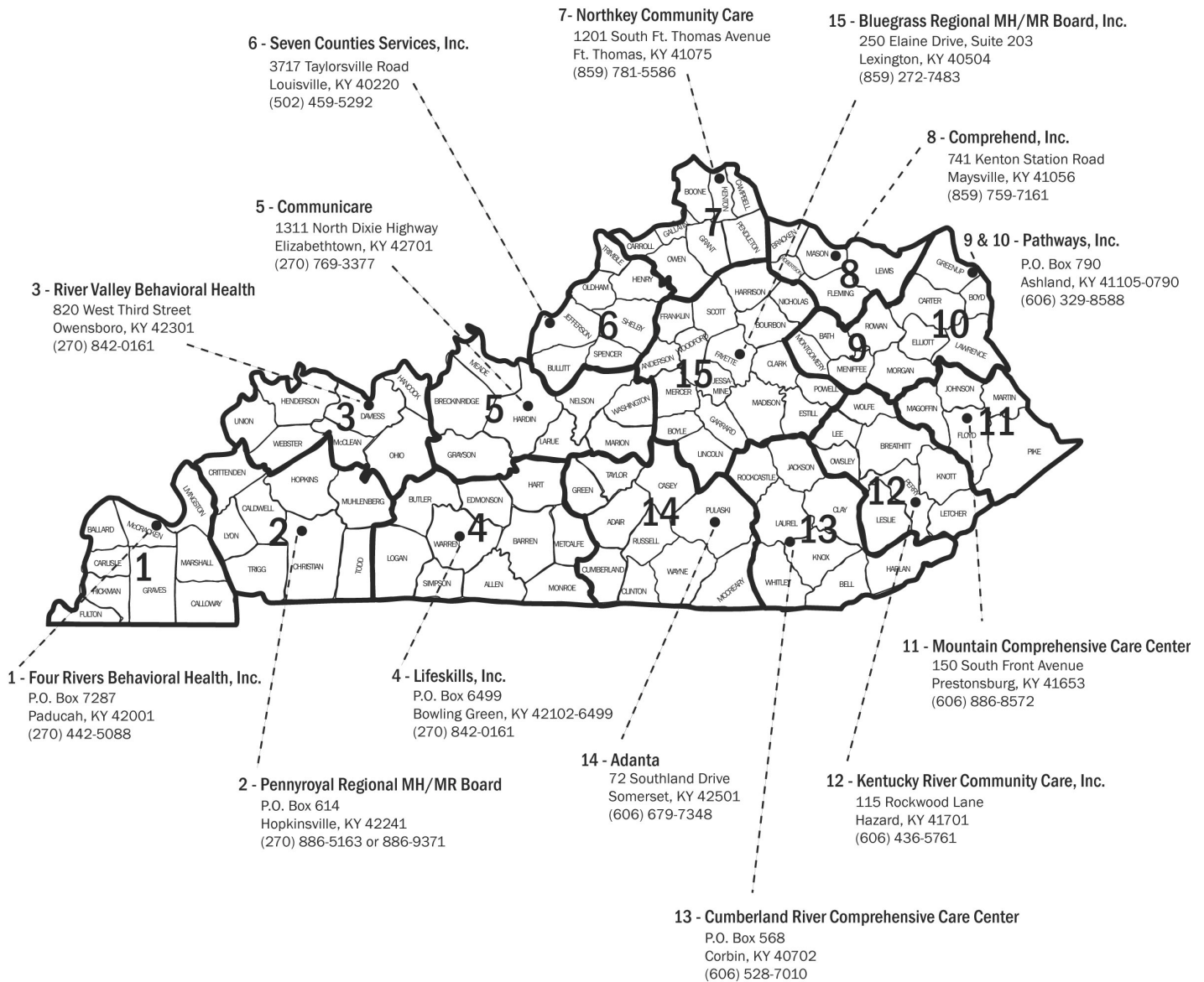
Service Coordination Supervisory Training

Service Coordination Supervisory training was developed in conjunction with Service Coordination 101. Participants receive information about supervising the service coordination process.

RIAC Orientation Training

RIAC Orientation is designed to meet the training needs of new and veteran RIAC members. The training covers issues regarding the history and organizational structure of Kentucky IMPACT, family issues, and funding streams.

Regional Map/Contacts



XV. Policies of Significance

November 19, 1997

Motion: Margaret Pennington moved to accept the proposed policy regarding funding oversight; Jeni Bryson seconded. Motion carried.

Guidelines for IMPACT Funding

IMPACT Funds can be used for any combination of any services for children and families in the IMPACT Program but only with RIAC approval. In addition, the region must have the minimum number of service coordinators specified in the funding letter. Beginning in the current fiscal year (98), prior approval of the SIAC will be required to spend more than \$5,000 per year (cumulative total) on capital purchases which remain with regional program.

Process for Reallocating Funds Based on Utilization

RIACs which did not use at least 90% of their IMPACT funds in the previous fiscal year will be monitored for utilization. If the region does not use at least 40% of its funds by December 31, it will be subject to the following funding reductions:

- the region's current year allocation will be reduced by the difference between 40% of its original allocation and the amount it actually spent in the first half of the fiscal year. These funds will be reallocated to other regions.
- the region's allocation for the following year will be temporarily reduced by twice the current year reduction. The region's final allocation for the following year will be determined after August 15 and will be based on the total amount spent in the current year. (This will give the region an opportunity to demonstrate that it can improve utilization before any of its following year funds are actually redistributed to other regions.)

Each fall, CYSB will send out monthly spending reports to SIAC and to those RIACs at risk of losing funds at mid year. The December 31 threshold will be highlighted on the report. Decisions about funding reductions will be made on the last work day in January. Billings for regions which do not have all their December billings in by that date will be prorated. Exceptions to this automatic reallocation will only be granted if the RIAC has submitted a spending plan to SIAC which was approved at its January meeting.

Reallocated funds will be distributed to interested regions based on the following criteria:

- need: The region can show need for additional funds. This requires that the RIAC submit a description of how it will use the funds and how much it can reasonably use during the remainder of the fiscal year.
- utilization history: The region has spent at least 95% of its previous year allocation and – through December 31 – at least 40% of its current year allocation.
- number of children served: The RIAC has served at least 5% of the estimated number of children with SED in its region in the previous fiscal year.

February 27, 2002

Motion: Bill Heffron moved to approve the policy for RIAC referrals to SIAC; Bruce Scott seconded. Motion carried

KRS 200.509(3)(g) outlines the duty of referring those children for whom the Regional Interagency Councils can not provide adequate services to the State Interagency Council. The process for referring children for case consultation shall be:

- (1) Regional Interagency Council shall obtain a current Release of Information signed by the parent and/or legal guardian authorizing them to release information to State Interagency Council.
- (2) Regional Interagency Council Chair and or their designee shall contact the State Interagency Council Director by submitting a letter of request for case consultation by mail. This letter of request shall include the following information:
 - (a) A letter requesting case consultation by the State Interagency Council;
 - (b) A copy of the current signed Release of Information referenced in Section (5);
 - (c) A copy of the child's referral;
 - (d) A summarized history of the Regional Interagency Council's interaction with the child and family to the point of the request for a case consultation; and
 - (e) Copies of clinical and non-clinical supplemental information that provide additional understanding regarding the individual child's and family's needs. All information sent should comply with State and Federal Laws regarding the release of and re-release of confidential information.
- (3) The State Interagency Council Director shall review the information with State Interagency Council Chair for further planning and direction regarding the request.
- (4) The State Interagency Council Chair and or their designee shall send a letter of response, within one month from the date of receipt, to the referring Regional Interagency Council Chair regarding the State Interagency Councils plan and or response.

Proposed February 2002

Case Consultations

KRS 200.509(3)(g) outlines the duty of referring those children for whom the Regional Interagency Councils can not provide adequate services to the State Interagency Council. The process for referring children for case consultation shall be:

- (5) Regional Interagency Council shall obtain a current Release of Information signed by the parent and/or legal guardian authorizing them to release information to State Interagency Council.
- (6) Regional Interagency Council Chair and or their designee shall contact the State Interagency Council Director by submitting a letter of request for case consultation by mail. This letter of request shall include the following information:
 - (f) A letter requesting case consultation by the State Interagency Council;
 - (g) A copy of the current signed Release of Information referenced in Section (5);
 - (h) A copy of the child's referral;
 - (i) A summarized history of the Regional Interagency Council's interaction with the child and family to the point of the request for a case consultation; and
 - (j) Copies clinical and non-clinical supplemental information that provide additional understanding regarding the individual child's and family's needs. All information sent should comply with State and Federal Laws regarding the release of and re-release of confidential information.
- (7) Within 14-days receipt of this information the State Interagency Council Director shall review the information with State Interagency Council Chair for further planning and direction regarding the request.
- (8) The State Interagency Council Chair and or their designee shall send a letter of response, within one month from the date of receipt, to the referring Regional Interagency Council Chair regarding the State Interagency Councils plan and or response.

Attachments